

FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
NORTHEASTERN DIVISION

04 MAY 13 PM 3:37

U.S. DISTRICT COURT  
N.D. OF ALABAMA

GRINNELL CRUTCH, JR., )  
 )  
Petitioner, )  
 )  
v. ) CIVIL ACTION NO. 02-CO-1933-NE  
 )  
WARDEN BILLY MITCHEM and )  
THE ATTORNEY GENERAL OF )  
THE STATE OF ALABAMA, )  
 )  
Respondents. )

ENTERED

MAY 13 2004

**MEMORANDUM OF OPINION**

The court has considered the entire file in this action together with the Magistrate Judge's Report and Recommendation and the objections of the petitioner and has reached an independent conclusion that the Magistrate Judge's Report and Recommendation is due to be adopted and approved. The court hereby adopts and approves the findings and recommendation of the magistrate judge as the findings and conclusions of the court. In accord with the recommendation, this petition for writ of habeas corpus is due to be dismissed with prejudice. An appropriate order will be entered.

DONE, this 13<sup>th</sup> day of May, 2004.  
L. SCOTT COOGLER  
UNITED STATES DISTRICT JUDGE

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